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PATENT
Docket No. 110.01130101

#8/43
Shavley
Jun. 29, 01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | | |
|---------------|---|---|--------------------|------------------|
| Applicant(s): | James B. McCarthy, et al. |) | Group Art Unit: | 1653 |
| Serial No.: | 09/600,432 |) | Examiner: | D. Lukton |
| Filed: | October 2, 2000 |) | Int'l Filing Date: | January 21, 1999 |
| For: | PEPTIDES WITH β 1 INTEGRIN SUBUNIT DEPENDENT CELL ADHESION MODULATING ACTIVITY | | | |

RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE REQUIREMENTS

BOX SEQUENCE

Assistant Commissioner for Patents
Washington, D.C. 20231

This communication is in response to the Examiner's Communication and Notice to comply with the sequence rules under 37 C.F.R. §1.821-1.825 mailed on April 19, 2001.

A Sequence Listing in paper form and a copy of the Sequence Listing in computer readable form are submitted herewith. The enclosed Sequence Listing is identical to the Sequence Listing submitted in the parent of this U.S. national stage application, namely International Application No. PCT/US99/01236, except that numeric identifiers <130>, <140>, and <141> have been changed to correctly identify the present application, and additional fields <150> and <151> have been added to reference the International Application.

Response to Notice to Comply with Sequence Requirements

Page 2

Applicant: J.B. McCarthy, et al.

Serial No.: 09/600,432

Title: PEPTIDES WITH $\beta 1$ INTEGRIN SUBUNIT DEPENDENT CELL ADHESION MODULATING ACTIVITY

Applicant respectfully submits that the contents of the paper version of the Sequence Listing and the computer readable version of the Sequence Listing are the same and do not add new matter.

Respectfully submitted,
JAMES B. McCARTHY, ET AL.
By Applicants' Representatives,
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Phone: (612) 305-1220
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Customer Number 26813

June 19, 2001
Date
AMM/mi

By:

Ann M. Mueiting
Ann M. Mueiting
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Direct Dial (612) 305-1217

I hereby certify that this paper and/or fee is/are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to the Asst Commissioner for Patents, BOX SEQUENCE, Washington, D. C. 20251.

Date of Deposit: June 19, 2001

Express Mail label number: EL 776903605 US

Name:

Gara L. Ladwig
Gara L. Ladwig



Application No.: 09/600432

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

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Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216 or (703) 308-2923
- For CRF Submission Help, call (703) 308-4212
- For PatentIn software Program Support:
 - HELP DESK: (703) 739-8559, ext 508, M-F, 8 AM to 5 PM EST except holidays
 - Email: PATIN21HELP@uspto.gov
 - To purchase PatentIn software: (703) 306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE



06-20-01

GP/1653 #
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JUN 25 2001

Applicant(s): James B. McCarthy, et al.

Group Art Unit: 1653

Serial No.: 09/600,432

Examiner: D. Lukton

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Filed: October 2, 2000 (Int'l Filing Date: Jan. 21, 1999)

Docket No.: 110.01130101

Title: PEPTIDES WITH $\beta 1$ INTEGRIN SUBUNIT DEPENDENT CELL ADHESION MODULATING ACTIVITY**BOX SEQUENCE**

Assistant Commissioner for Patents

Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☒ A return postcard.
☒ A Petition for Extension of Time for 1 month and a check in the amount of \$ 110.00 for the required fee.
___ An Information Disclosure Statement (___ pgs); copies of ___ applications; 1449 forms (___ pgs); and copies of ___ documents cited on the 1449 forms.
___ A check in the amount of \$___, for ___.
☒ Other: Response to Notice to Comply with Sequence Requirements (2 pgs); Copy of Notice to Comply with Requirements; Sequence Listing (14 pgs); Computer-readable version of Sequence Listing (1 diskette).
___ Amendment ___ No Additional fee is required. ___ The fee has been calculated as shown:

| Fee Calculation for Claims Pending After Amendment | | | | | |
|---|------------------------------------|-----------------------------|-----------------------------------|---------------------------|--------------------------|
| | Pending Claims after Amendment (1) | Claims Paid for Earlier (2) | Number of Additional Claims (1-2) | Cost per Additional Claim | Additional Fees Required |
| Total Claims | | | | x \$18 = | |
| Independent Claims | | | | x \$80 = | |
| One or More New Multiple Dependent Claims Presented? If Yes, Add \$270 Here → | | | | | |
| Total Additional Claim Fees Required | | | | | |

Please consider this a **PETITION FOR EXTENSION OF TIME** for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813

By: *Ann M. Mueeting*
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Reg. No.: 33,977
Direct Dial: 612-305-1217
Facsimile: 612-305-1228

CERTIFICATE UNDER 37 CFR §1.10:"Express Mail" mailing label number: EL 776903605 USDate of Deposit: June 19, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, BOX SEQUENCE, Washington, D.C. 20231.

By: *Gara L. Ladwig*
Name: Gara L. Ladwig

(LARGE ENTITY TRANSMITTAL UNDER RULE 1.10)